

03- R-2154

City Council
Atlanta, Georgia

A RESOLUTION

BY: Debi Starnes

**AUTHORIZING THE MAYOR TO ACCEPT THE
DEDICATION OF NORTHYARDS BOULEVARD, AND
FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta has formally abandoned the following streets
(collectively, the "Abandoned Properties"):

- [i] Strong Street, from Kennedy Street north to North Avenue;
- [ii] Davis Street, from Kennedy Street north to North Avenue;
- [iii] A portion of Gray Street, from Kennedy Street north to North Avenue; and
- [iv] Portions of the original North Avenue right-of-way from Gray Street west to Strong Street;

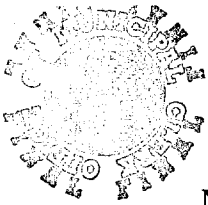
WHEREAS, Section 2-1578 of the City's Code of Ordinances requires a petitioner for the abandonment of streets to remit payment to the City for the abandonment in the amount of the appraised value of the streets to be abandoned;

WHEREAS, the City has accepted various proposed street improvements in lieu of a cash payment for the Abandoned Properties;

WHEREAS, the Atlanta Development Authority (the "ADA") and the Northyards Business Park Limited Liability Company ("Northyards") have worked for several years to develop the area (including the Abandoned Properties) into a business park, as a City-supported redevelopment project pursuant to the English Avenue Redevelopment Plan approved by the Atlanta City Council, and as part of an Atlanta Empowerment Zone initiative;

WHEREAS, as part of these street improvements, the ADA and Northyards have installed a new street, which is known as Northyards Boulevard, as shown on Exhibit A;

WHEREAS, the City Council wishes to support ADA's and Northyards' continuing revitalization efforts;



**NOW, THEREFORE, THE COUNCIL FOR THE CITY OF ATLANTA,
GEORGIA, HEREBY RESOLVES AS FOLLOWS:**

Section 1. The Mayor is hereby authorized to accept the dedication of Northyards Boulevard, as shown on Exhibit A, to the City of Atlanta as a public street, and may accept such dedication by the Warranty Deed attached hereto as Exhibit B.

Section 2. All resolutions or parts of resolutions in conflict with the terms of this resolution are hereby repealed.

A true copy

A handwritten signature in black ink, appearing to be "J. M. Smith", is written over the words "A true copy" and "Deputy Clerk".

Deputy Clerk

**ADOPTED by the City Council
APPROVED by the Mayor**

December 1, 2003
December 9, 2003

EXHIBIT A
REAL PROPERTY

LEGAL DESCRIPTION:

ALL OF THAT TRACT OR PARCEL OF LAND LOCATED IN THE CITY OF ATLANTA AND BEING A PORTION OF LAND LOT 82 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT AN ONE HALF INCH DIAMETER REINFORCING BAR AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY OF NORTH AVENUE (RIGHT-OF-WAY WIDTH VARIES) AND THE EASTERLY RIGHT-OF-WAY OF NORTHSIDE DRIVE (RIGHT-OF-WAY WIDTH VARIES) AND RUN SOUTH 89 DEGREES 14 MINUTES 12 SECONDS EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY OF NORTH AVENUE FOR A DISTANCE OF 117.50 FEET TO A POINT;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY OF NORTH AVENUE, RUN SOUTH 75 DEGREES 56 MINUTES 09 SECONDS EAST FOR A DISTANCE OF 45.18 FEET TO A POINT;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY OF NORTH AVENUE, RUN SOUTH 88 DEGREES 59 MINUTES 47 SECONDS EAST FOR A DISTANCE OF 148.38 FEET TO A POINT;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY OF NORTH AVENUE, RUN SOUTH 45 DEGREES 33 MINUTES 28 SECONDS EAST FOR A DISTANCE OF 44.48 FEET TO A ONE HALF INCH DIAMETER REINFORCING BAR AT THE POINT OF BEGINNING;

THENCE FROM SAID POINT OF BEGINNING THUS ESTABLISHED, RUN NORTH 77 DEGREES 36 MINUTES 02 SECONDS EAST ALONG THE SOUTHERLY RIGHT-OF-WAY OF NORTH AVENUE FOR A DISTANCE OF 51.24 FEET TO A ONE HALF INCH DIAMETER REINFORCING BAR ON THE WESTERLY SIDE OF NORTHYARDS BUSINESS PARK PARCEL B;

THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY OF NORTH AVENUE, RUN SOUTH 00 DEGREES 13 MINUTES 21 SECONDS WEST ALONG SAID WESTERLY SIDE OF NORTHYARDS BUSINESS PARK PARCEL B FOR A DISTANCE OF 238.43 FEET TO A POINT;

THENCE CONTINUING ALONG SAID WESTERLY SIDE OF NORTHYARDS BUSINESS PARK PARCEL B, RUN ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 175.00 FEET AND AN ARC LENGTH OF 273.48 FEET, BEING SUBTENDED BY A CHORD OF SOUTH 44 DEGREES 32 MINUTES 46 SECONDS EAST FOR A DISTANCE OF 246.49 FEET TO A POINT;

THENCE ALONG THE SOUTHERLY SIDE OF NORTHYARDS BUSINESS PARK PARCEL B, RUN SOUTH 89 DEGREES 18 MINUTES 53 SECONDS EAST FOR A DISTANCE OF 155.91 FEET TO A POINT;

THENCE CONTINUING ALONG SAID SOUTHERLY SIDE OF NORTHYARDS BUSINESS PARK PARCEL B, RUN ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET AND AN ARC LENGTH OF 28.91 FEET, BEING SUBTENDED BY A CHORD OF NORTH 49 DEGREES 16 MINUTES 33 SECONDS EAST FOR A DISTANCE OF 26.46 FEET TO A POINT;

THENCE CONTINUING ALONG SAID SOUTHERLY SIDE OF NORTHYARDS BUSINESS PARK PARCEL B, RUN ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET AND AN ARC LENGTH OF 185.40 FEET, BEING SUBTENDED BY A CHORD OF SOUTH 83 DEGREES 36 MINUTES 34 SECONDS EAST FOR A DISTANCE OF 119.96 FEET TO A POINT;

THENCE ALONG SAID SOUTHERLY SIDE OF NORTHYARDS BUSINESS PARK PARCEL B, RUN NORTH 85 DEGREES 10 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 5.17 FEET TO A ONE HALF INCH DIAMETER REINFORCING BAR AT THE NORTHWEST CORNER OF NORTHYARDS BUSINESS PARK PARCEL A;

THENCE ALONG THE WESTERLY SIDE OF NORTHYARDS BUSINESS PARK PARCEL A, RUN SOUTH 00 DEGREES 37 MINUTES 27 SECONDS WEST FOR A DISTANCE OF 56.07 FEET TO A POINT AT THE NORTHEAST CORNER OF NORTHYARDS BUSINESS PARK PARCEL D;

THENCE ALONG NORTHERLY LINE OF NORTHYARDS BUSINESS PARK PARCEL D, RUN NORTH 89 DEGREES 18 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 300.95 FEET TO A ONE HALF INCH REINFORCING BAR AT THE SOUTHEAST CORNER OF NORTHYARDS BUSINESS PARK PARCEL C;

THENCE ALONG THE EASTERLY SIDE OF NORTHYARDS BUSINESS PARK PARCEL C, RUN ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 225.00 FEET AND AN ARC LENGTH OF 350.99 FEET, BEING SUBTENDED BY A CHORD OF NORTH 44 DEGREES 28 MINUTES 01 SECONDS WEST FOR A DISTANCE OF 316.47 FEET TO A POINT;

THENCE CONTINUING ALONG THE EASTERLY SIDE OF NORTHYARDS BUSINESS PARK PARCEL C, RUN NORTH 00 DEGREES 13 MINUTES 21 SECONDS EAST FOR A DISTANCE OF 227.23 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 1.1305 ACRES MORE OR LESS.

EXHIBIT "B"

UPON RECORDING RETURN TO:

Alston & Bird LLP
One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3424
Attention: Jeffrey P. Jacobs, Esq.


LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF FULTON

THIS INDENTURE, made as of _____, 2003, between
NORTHYARDS BUSINESS PARK, L.L.C., a Georgia limited liability company
(herein called "Grantor"), and _____ (herein called
"Grantee").

WITNESSETH: That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed and by these presents does grant, bargain, sell, alien, convey and confirm unto Grantee all that tract or parcel of land described on Exhibit A, attached hereto and made a part hereof.



TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of Grantee, forever, **IN FEE SIMPLE.**

This Deed and the warranty of title contained herein are made expressly subject to all matters of public record.

Grantor will warrant and forever defend the right and title to the above described property unto Grantee against the lawful claims of all persons owning, holding or claiming by, through or under Grantor, but not otherwise.

(The words "Grantor" and "Grantee" include all genders, plural and singular, and their respective heirs, successors and assigns where the context requires or permits.)

[signatures on following page]

IN WITNESS WHEREOF, Grantor has signed and sealed this deed, the day and year first above written.

Signed, sealed and delivered in the presence of:

Unofficial Witness

Notary Public

My Commission Expires:

(NOTARY SEAL)

GRANTOR:

**NORTHYARDS BUSINESS PARK,
L.L.C.**, a Georgia limited liability company

By: COPA, Inc., its Managing Member

By: _____

Name: _____

Title: _____

RCS# 5190
12/01/03
5:15 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I EXCEPT: 1698,1851,1852,1881,
1309,2087,1719,1845,2164,
ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

			12-01-03 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-1875	42. 03-R-1830	81. 03-R-2030	122. 03-R-2071
2. 03-O-1876	43. 03-R-1849	82. 03-R-2031	123. 03-R-2072
3. 03-O-1965	44. 03-R-2120	83. 03-R-2032	124. 03-R-2073
4. 03-O-2153	45. 03-R-2121	84. 03-R-2033	125. 03-R-2074
5. 03-O-1376	46. 03-R-2122	85. 03-R-2034	126. 03-R-2075
6. 03-O-1963	47. 03-R-2125	86. 03-R-2035	127. 03-R-2076
7. 03-O-1841	48. 03-R-2160	87. 03-R-2036	128. 03-R-2077
8. 03-O-1377	49. 03-R-2000	88. 03-R-2037	129. 03-R-2078
9. 03-O-1837	50. 03-R-2001	89. 03-R-2038	130. 03-R-2079
10. 03-O-1880	51. 03-R-2002	90. 03-R-2039	131. 03-R-2080
11. 03-O-1896	52. 03-R-2003	91. 03-R-2040	132. 03-R-2081
12. 03-O-1897	53. 03-R-2126	92. 03-R-2041	133. 03-R-2082
13. 03-O-1898	54. 03-R-2127	93. 03-R-2042	134. 03-R-2083
14. 03-O-1888	Items Adversed on	94. 03-R-2043	135. 03-R-2084
15. 03-O-2108	consent	95. 03-R-2044	136. 03-R-2085
16. 03-O-2142	55. 03-R-2004	96. 03-R-2045	137. 03-R-2086
17. 03-O-2143	56. 03-R-2005	97. 03-R-2046	138. 03-R-2087
18. 03-O-2144	57. 03-R-2006	98. 03-R-2047	139. 03-R-2088
19. 03-O-1899	58. 03-R-2007	99. 03-R-2048	140. 03-R-2089
20. 03-O-2146	59. 03-R-2008	100. 03-R-2049	141. 03-R-2090
21. 03-R-2110	60. 03-R-2009	101. 03-R-2050	142. 03-R-2091
22. 03-R-2111	61. 03-R-2010	102. 03-R-2051	143. 03-R-2128
23. 03-R-2112	62. 03-R-2011	103. 03-R-2052	144. 03-R-2129
24. 03-R-2113	63. 03-R-2012	104. 03-R-2053	145. 03-R-2130
25. 03-R-2114	64. 03-R-2013	105. 03-R-2054	146. 03-R-2131
26. 03-R-2115	65. 03-R-2014	106. 03-R-2055	147. 03-R-2132
27. 03-R-2116	66. 03-R-2015	107. 03-R-2056	148. 03-R-2133
28. 03-R-2139	67. 03-R-2016	108. 03-R-2057	
29. 03-R-2140	68. 03-R-2017	109. 03-R-2058	
30. 03-R-2154	69. 03-R-2018	110. 03-R-2059	
31. 03-R-2166	70. 03-R-2019	111. 03-R-2060	
32. 03-R-2117	71. 03-R-2020	112. 03-R-2061	
33. 03-R-2158	72. 03-R-2021	113. 03-R-2062	
34. 03-R-2156	73. 03-R-2022	114. 03-R-2063	
35. 03-R-2165	74. 03-R-2023	115. 03-R-2064	
36. 03-R-2118	75. 03-R-2024	116. 03-R-2065	
37. 03-R-2119	76. 03-R-2025	117. 03-R-2066	
38. 03-R-2124	77. 03-R-2026	118. 03-R-2067	
39. 03-R-2150	78. 03-R-2027	119. 03-R-2068	
40. 03-R-2152	79. 03-R-2028	120. 03-R-2069	
41. 03-R-2159	80. 03-R-2029	121. 03-R-2070	

03-R-2154
(Do Not Write Above This Line)

A Resolution by
Councilmember Debi Starnes:

Authorizing the Mayor to accept
the dedication of Northyards
Boulevard; and for other
purposes.

ADOPTED BY
DEC 01 2003
COUNCIL

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

Date Referred 11/17/03

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

City Utilities
Date 11/17/03

Chair

Chair

Fav/Adv, Hold (see rev. side)
Other

Members

Debi Starnes
11/17/03

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

DEC 01 2003

DEC 01 2003

MAYOR'S ACTION

DEC 09 2003

MAYOR